



MINUTES

Of A

REGULAR COUNCIL MEETING

January 27, 2011

The City Council of the City of Longview, Texas, met in a Regular Session, January 27, 2011, at 5:30 P.M. in the Council Chambers of the Jo Ann Metcalf Municipal Building. Mayor Jay Dean presided.

Members present were:

Jay Dean
John Sims
Daryl Williams

Wayne Frost
Richard Manley
Sidney Allen

Members absent were:

Sidney Bell Willis

Staff members present were:

David Willard, City Manager
Mary Ann Miller, Assistant to the City Manager
Shelly Ballenger, City Secretary
Jim Finley, City Attorney
Kevin Cummings, Director of Development Services
Keith Bonds, Director of Public Works
Laura Hill, Director of Community Services
Karri Hyko, Director of Human Resources
Angela Coen, Director of Finance
J.P. Steelman, Chief of Fire
J.B. McCaleb, Chief of Police

I. CALL TO ORDER – Mayor Dean called the meeting to order.

II. INVOCATION – Donald Nunn, Pastor of Pine Tree Cumberland Presbyterian Church, gave the invocation.

III. PLEDGE OF ALLEGIANCE – Donald Nunn, Pastor of Pine Tree Cumberland Presbyterian Church, led the pledge of allegiance.

IV. CITIZEN COMMENT

Rickey Evans, 6000 W. Marshall Avenue, Longview, spoke of recent burglaries at several of his businesses and wanted action by the City and County police departments.

Mayor Dean addressed Mr. Evans situation.

Victoria Wilson, 607 E. Melton Street, Longview, spoke about the Gregg County Historical Museum's exhibit on Black History Month.

V. CONSENT AGENDA

A. Consider an Ordinance temporarily reducing the speed limit to 45 m.p.h. along SH322/Estes Parkway and along SH149/Eastman Road due to upcoming construction by the Texas Department of Transportation –

Keith Bonds, P.E., Director of Public Works: Consider an ordinance temporarily reducing the speed limit along SH322/Estes Parkway and along SH149/Eastman Road due to upcoming construction by the Texas Department of Transportation.

TxDOT is requesting the speed limit be reduced to 45 mph along SH322/Estes Parkway from the IH20 South Access Road to the intersection of SH149, along SH149/Eastman Road from the IH20 South Access Road to the intersection of SH322, and additionally along SH149/SH322 from the intersection of these roadways to 0.816 miles south of the IH20 Access Road at SH322 intersection. TxDOT construction will consist of realigning SH149 from the intersection of SH322/Estes Parkway to approximately 1,300 feet north of the intersection. In addition, SH322/Estes Parkway will be widened with curb and gutter to provide for a continuous left-turn lane and upgrade the channelization at the proposed SH149 intersection.

During construction, which is tentatively scheduled to begin approximately September 1, 2011 and be completed January 2012, the traffic control will consist of daily and overnight lane closures. Due to the excessive traffic and congested intersections, a lower speed will enhance the safety of the public and the workers in this area.

The following Ordinance was approved:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ALTERING THE PRIMA FACIE SPEED LIMIT ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF THE TRANSPORTATION CODE, V.T.C.A., ON PORTIONS OF THOSE THOROUGHFARES KNOWN AS STATE HIGHWAY 322/ESTES PARKWAY AND STATE HIGHWAY 149/EASTMAN ROAD WITHIN THE BOUNDARIES OF THE CORPORATE LIMITS OF THE CITY OF LONGVIEW, TEXAS, AS SET OUT IN THIS ORDINANCE; PROVIDING FOR FORMAL DESIGNATION OF SPEED LIMITS BY SIGNAGE OR OTHER REQUIRED NOTICE IN CONFORMANCE WITH STATE LAW; REPEALING ORDINANCES INCONSISTENT HERewith; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; AND PROVIDING AN EFFECTIVE DATE.

Such Ordinance No. 3741 appears in the Resolution and Ordinance records of the City of Longview.

B. Consider a Resolution accepting the Downtown Parking Streetscape Improvements Project and authorizing final payment to The Fain Group, Inc. of Fort Worth, Texas, in the amount of \$87,661.60 –

Keith Bonds, P.E., Director of Public Works: Consider a resolution accepting the Downtown Parking Streetscape Improvements Project and authorizing final payment in the amount of \$87,661.60 to The Fain Group, Inc., of Ft. Worth, Texas. Approval of final payment will begin the contractor's one-year warranty period.

The City Council awarded a contract to The Fain Group, Inc. on January 14, 2010, in the amount of \$730,644.89. The final construction cost is \$708,451.59.

The scope of work provided for reconstruction of the north side of Cotton Street between High Street and Fredonia Street, and construction of railroad quiet zone improvements at Horaney Street and Center Street.

The project has been completed in accordance with the contract. Staff recommends acceptance of the project and approval of the final payment.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE PROJECT KNOWN AS "DOWNTOWN PARKING STREETScape IMPROVEMENTS"; AUTHORIZING AND APPROVING FINAL PAYMENT TO THE FAIN GROUP, INC. OF FT. WORTH, TEXAS, FOR CONSTRUCTION OF SAID PROJECT; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Such Resolution No. 4268 appears in the Resolution and Ordinance records of the City of Longview.

- C. Consider a Resolution awarding a contract in the amount of \$53,190.00 to and authorizing and directing the City Manager or the City Manager's designee to negotiate and execute any necessary documents with Haltom Construction of Marshall, Texas, for the construction of the Ryder Drive Interceptor Relocation Project –**

Keith Bonds, P.E., Director of Public Works: Consider a resolution awarding a contract in the amount of \$53,190.00 and authorizing the City Manager or his designee to execute any necessary documents with Haltom Construction of Marshall, TX, for the construction of the referenced project. The following bids were opened on January 11, 2011:

<u>Bidders</u>	<u>Proposed Amount</u>
Haltom Construction	\$ 53,190.00

Marshall, TX	
Wicker Construction, Inc.	\$ 90,480.00
Shreveport, LA	
Excel Utilities	\$ 94,115.00
Longview, TX	
McKinney and McMillen	\$ 103,141.00
Jacksonville, TX	
AAA Sanitation	\$ 111,925.00
Tyler, TX	

The scope of work includes the construction of 330 linear feet of 10" sewer main and related work at SH149 and miscellaneous work as necessary to complete the installation. The utility relocation is necessary for SH149 Improvements planned by TxDOT.

Wood Engineering Company has examined the proposals and the qualifications of the low bidder, and recommends that the City award the contract to Haltom Construction of Marshall, TX, in the amount of \$53,190.00.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE BID OF HALTOM CONSTRUCTION, INC. OF MARSHALL, TEXAS, FOR CONSTRUCTION OF THE PROJECT ENTITLED "RYDER DRIVE INTERCEPTOR RELOCATION PROJECT"; AUTHORIZING AND DIRECTING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY DOCUMENTS NECESSARY BETWEEN THE CITY OF LONGVIEW AND HALTOM CONSTRUCTION, INC., FOR THE ABOVE REFERENCED PROJECT; DETERMINING THAT THE CITY COMPLIED WITH ALL APPLICABLE BIDDING REQUIREMENTS IN ACCEPTING SAID BID; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Such Resolution No. 4269 appears in the Resolution and Ordinance records of the City of Longview.

D. Consider a Resolution to appoint members to various boards and commissions –

Mary Ann Miller, Assistant to the City Manager requested Council to consider a resolution appointing various boards and commission members.

Animal Shelter Advisory Committee

Appointments

Dr. Kenneth Glaze – Veterinarian
Kristen Ishihara – Welfare Organization Representative
John Fruge – Kennel Club Representative
Vacant Position – Animal Shelter Operator
Geoff Heinicke, Ex Officio – Environmental Health Manager, City of Longview

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, PROVIDING FOR APPOINTMENTS, REAPPOINTMENTS AND CHAIR DESIGNATIONS TO VARIOUS BOARDS AND COMMISSIONS; DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND ESTABLISHING AN EFFECTIVE DATE.

Such Resolution No. 4270 appears in the Resolution and Ordinance records of the City of Longview.

E. Consider a Resolution authorizing and directing the City Manager or City Manager's designee to execute any necessary documents for the purchase of two (2) truck chassis and the refurbishing/remounting of two (2) existing ambulance modules with Twin States International of Longview, Texas, in the amount of

\$279,812.00 through the City's purchasing agreement with the Houston-Galveston Area Council –

J.P. Steelman, Fire Chief: The City of Longview wishes to purchase two new International 4300 chassis and refurbish and remount our existing 2000 model ambulances. The cost of vehicles is \$279,812.00 and will be paid for with funds made available through the City's Vehicle Replacement Account. When in service, these units will replace front line ambulances at Station 3 and Station 6.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER, THE CITY MANAGER'S DESIGNEE AND/OR OTHER OFFICIAL (S) OF THE CITY AS SHALL BE REQUIRED TO EXECUTE ANY DOCUMENTS NECESSARY FOR THE PURCHASE OF TWO (2) TRUCK CHASSIS INCLUDING THEIR REFURBISHING AND REMOUNTING FOR AMBULANCE USE FROM TWIN STATES INTERNATIONAL OF LONGVIEW TEXAS THROUGH THE CITY'S PURCHASING AGREEMENT WITH THE HOUSTON-GALVESTON AREA COUNCIL IN AN AMOUNT NOT TO EXCEED \$279,812.00; SETTING FORTH THE CONDITIONS OF SUCH AUTHORIZATION; DETERMINING THAT SAID PURCHASES ARE EXEMPT FROM STATE BIDDING REQUIREMENTS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Such Resolution No. 4271 appears in the Resolution and Ordinance records of the City of Longview.

MOTION: Council Member Frost made a motion to approve the Consent Agenda.

SECOND: Council Member Williams seconded the motion.

VOTE: The motion carried unanimously (6,0).

VI. Presentation/Discussion Items

A. Presentation of a Proclamation to Halliburton of Kilgore, recognizing volunteers for their participation in the Storm Water Drain marking project –

Jay Dean, Mayor, recognized Tom Zoucha, Halliburton Electronic Maintenance Supervisor along with Mary Jane Burnett, City of Longview Community Relations Coordinator, and gave a brief presentation thanking the participating Halliburton volunteers.

B. Discussion of long-term planning for construction, maintenance and improvement of city streets and update on the work of the Streets Task Force –

Keith Bonds, P.E., Director of Public Works, gave a presentation based on the following recommendations from the Streets Task Force:

• Upgrade oil dirt streets	\$5,000,000
• Magnolia Lane widening	\$3,100,000
• Green Street from Cotton to Whaley	\$6,000,000
• Center Street from Cotton to Whaley	\$5,500,000
• Methvin Street from Green to High	\$5,500,000
• Intersection improvements (Hawkins and US259, Cotton and US259, Eden and US259, Hawkins and Dundee, Hawkins and McCann, Hawkins and Judson, Pine Tree and George Richey	\$6,400,000
• Cotton Street improvements	\$8,565,000
• Hollybrook Drive improvements	\$4,500,000
• Fenton Road improvements	\$3,400,000
• Green Street Reconstruction	\$5,080,000
• High Street re-pave	\$ 110,000
• Martin Luther King, Jr. re-pave	\$ 175,000
• Foster Middle School sidewalk improvements	<u>\$ 670,000</u>
TOTAL	\$54,000,000

Funding options for the plan would spread out the project expense over a six year period to minimize the tax rate to the taxpayers. The bond amounts would be \$22 million June 2011, \$24 million December 2013 and \$8 million September 2015. The tax impact would be \$1.75 cents October 2011, none in October 2012 and \$.75 cents October 2013.

Mayor Dean: On a \$100,000.00 house the tax rate increase for the first year would be \$17.50.

The public is invited to the next Task Force meeting at Maude Cobb this Monday at 5:30 p.m. The next public hearing and discussion item will be at the next Council meeting on February 10, 2011 at 5:30 p.m.

Mary Ann Miller, Assistant to the City Manager: The Task Force will make their recommendations along with another public hearing at the February 24, 2011 meeting. Then at the March 10, 2011 meeting, if Council approves, there will be an action item on the agenda to call the bond election.

C. Presentation concerning FM2275/George Richey Road and pass through financing from Lochner, Inc. –

Glen Cowert and John Goodwin from Lochner, Inc., gave a presentation on the pass through financing with the following overview:

- \$300 million in TxDOT funding (2009 and 2010)
- \$250 million in TxDOT funding for 2011
- 2011 program call made December 31st with proposals due March 1, 2011
- 3 months used in the past for making proposal evaluations and selection
- Subsequent further negotiations with TxDOT for selected proposals and contracts entered into
- Terms of program
 1. Project sponsor manages and develops the project as TxDOT would including Environmental, ROW, and utility clearance, design, and construction
 2. TxDot reimburses construction cost over a 10 – 20 year time period

With the pass through financing project you spend \$13 million in construction. You are repaid back later that \$13 million by TxDOT. You still have the utility relocation, the ROW acquisition cost and design/construction engineering costs. Your total out-of-pocket costs, not taking into account the time value of money, are about \$7 million.

Typically cities have sponsors (County, LEDCO, ETCOG, et cetera) to share in the cost of the project. We are offering our services to the City at no cost. March 1st is the deadline for TxDOT to receive the signed sponsor proposals.

Council Member Frost: When does TxDOT start reimbursing us?

John Goodwin: Once the project is complete, open and traffic counted that next year you will get a yearly check estimated to be about \$1 – 2 million.

Mayor Dean: Have we done any traffic count estimation on the potential usage?

John Goodwin: TxDOT tries to back calculate in where you get paid back within about 13 years based on TxDOT traffic projections. They set a floor and cap as far as the amount you get paid back. Worst case is if you built the road and no one drove on it you would get paid back over 20 years. If you built and opened it and had tons of traffic the fastest you would be paid back would be 10 years.

Mayor Dean: Once it was built and opened would TxDOT take over the maintenance?

John Goodwin: Yes.

Council Member Allen: What is the possibility that in 20 years the laws change and we do not get our payback?

John Goodwin: It is written into the agreement between TxDOT and the City.

Council Member Allen: What is the construction time frame?

John Goodwin: About 2 years (between 2015 – 2017).

Mayor Dean wanted to clarify that the sponsor would be the City.

VII. Items of Community Interest

Mayor Dean asked for a motion to excuse Council Member Willis.

MOTION: Council Member Williams made a motion to excuse Council Member Willis.

SECOND: Council Member Sims seconded the motion.

VOTE: The motion carried unanimously (6,0).

Council Member Frost congratulated the City of Longview Community Development division for being rated as high performance.

He also stated that the Fire Department has received 260 applications for their hiring program and thanked them for the good advertising.

Please mark your calendars to attend the waterway cleanup at Teague Park, Saturday, February 19th from 9:00 a.m. to noon. The Longview Fire Department dive team will be there to assist in the pond cleanup and demonstrate water search techniques/equipment. For more information call 903-237-1390.

The Partners in Prevention Mentor Training will be held on Wednesday, February 2nd from 11:30 a.m. to 1:30 p.m. in the Partners in Prevention conference room located at 140 E. Tyler St. on the 4th floor. Please call 903-237-1019 to register for the training.

We need volunteers on the City Board Commissioner Committee. If you would like to serve please visit our website at www.LongviewTexas.gov clicking on City Government and then Boards and Commissions. You will find an application to fill out and submit online. You can also call the City Manager's office at 903-237-1021 to get an application. We need more applications. We need some new people that want to serve and get involved with City government.

Mayor Dean recognized Joshua Ewald from Boy Scout Troop 200, Longview, Texas.

Joshua Ewald, Boy Scout Troop 200, Longview, Texas: I came here tonight to get my communications badge by attending tonight and take notes. I have seven badges so far.

Mayor Dean congratulated him on a job well done.

VIII. Adjourn

The meeting was adjourned at 6:30 p.m.

[seal]

Shelly Ballenger
City Secretary

